

Appendix D

Felony offenses (like first-degree retail fraud) for which an offender's previous conviction may not be used for enhancement under the general habitual offender statutes if it is used to enhance the offense under the statute prohibiting the criminal conduct.

Felonies by MCL #	Description	Crime Group	Dual enhancement prohibited by:
18.366(1)(c)	False presentation to crime victim services—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 18.366(5)
18.366(1)(d)	False presentation to crime victim services—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	
125.1447(1)(c)	False pretenses - state housing development—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 125.1447(4)
125.1447(1)(d)	False pretenses - state housing development—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	
285.279(2)(c)	False pretenses - family farm development act—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 285.279(6)
285.279(2)(d)	False pretenses - family farm development act—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	
324.2157(1)(c)	Damage to state property—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 324.2157(4)
324.2157(1)(d)	Damage to state property—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	
324.52908(1)(c)	Damage to plant—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 324.52908(4)
324.52908(1)(d)	Damage to plant—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	
324.76107(3)	Removing or mutilating human body from Great Lakes bottomland	Public Order	MCL 324.76107(7)
324.76107(4)(c)	Recovering abandoned property/Great Lakes—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	
324.76107(4)(d)	Recovering abandoned property/Great Lakes—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	
570.1110(10)(c)	Contractor - false sworn statement—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 570.1110(13)
570.1110(10)(d)	Contractor - false sworn statement—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	
750.74(1)(c)	Arson of personal property—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Person	MCL 750.74(4)
750.74(1)(d)	Arson of personal property—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Person	
750.77(1)(c)	Preparing to burn personal property—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Person	MCL 750.77(4)
750.77(1)(d)	Preparing to burn personal property—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Person	
750.131(3)(b)(ii)	NSF checks—\$100 to \$500 - third or subsequent offense	Property	MCL 750.131(5)
750.131(3)(c)	NSF checks— \$500+	Property	
750.157s(1)(b)(ii)	Using revoked or canceled financial transaction device—\$100 to \$500 with 2 priors	Property	MCL 750.157s(4)
750.157s(1)(c)	Using revoked or canceled financial transaction device—\$500+	Property	
750.157w(1)(c)	Fraudulently withdrawing or transferring \$1,000 to \$20,000 with financial transaction device	Property	MCL 750.157w(4)
750.157w(1)(d)	Fraudulently withdrawing or transferring \$20,000+ with financial transaction device	Property	
750.174(4)	Embezzlement by agent of \$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 750.174(9)
750.174(5)	Embezzlement by agent of \$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	
750.174a(4)	Embezzlement - rvulnerable adult—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 750.174a(8)
750.174a(5)	Embezzlement - vulnerable adult—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	
750.177(2)	Embezzlement by chattel mortgagor—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	MCL 750.177(8)
750.177(3)	Embezzlement by chattel mortgagor—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	
750.178(2)	Embezzlement of mortgaged/leased property—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	MCL 750.178(8)
750.178(3)	Embezzlement of mortgaged/leased property—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	
750.181(4)	Embezzling jointly held property—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 750.181(10)
750.181(5)	Embezzling jointly held property—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	
750.218(4)	False pretenses involving \$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 750.218(8)
750.218(5)	False pretenses involving \$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	
750.219a(2)(c)	Telecommunications fraud—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 750.219a(5)
750.219a(2)(d)	Telecommunications fraud—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	

750.356(2)	Larceny involving \$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	MCL 750.356(8)
750.356(3)	Larceny involving \$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	
750.356a(1)	Larceny from a motor vehicle	Property	MCL 750.356a(6)
750.356a(2)(c)	Breaking and entering a vehicle to steal \$1,000 to \$20,000 or \$200 to \$1,000 with priors	Property	
750.356a(2)(d)	Breaking and entering a vehicle to steal \$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	
750.356a(3)	Breaking and entering a vehicle to steal causing damage	Property	
750.356c	Retail fraud - first degree	Property	MCL 750.356c(6)
750.362a(2)	Larceny of rental property involving \$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	MCL 750.362a(8)
750.362a(3)	Larceny of rental property involving \$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	
750.377a(1)(a)	Malicious destruction of personal property—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	MCL 750.377a(4)
750.377a(1)(b)	Malicious destruction of personal property—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	
750.380(2)	Malicious destruction of building—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	MCL 750.380(8)
750.380(3)	Malicious destruction of building—\$1,000 to \$20,000 or \$200 to \$1,000 with priors	Property	
750.382(1)(c)	Malicious destruction of plants or turf—\$1,000 to \$20,000 or \$200 to \$1,000 with priors	Property	MCL 750.382(5)
750.382(1)(d)	Malicious destruction of plants or turf—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	
750.387(5)	Malicious destruction of tomb or memorial—\$1,000 to \$20,000 or \$200 to \$1,000 with priors	Property	MCL 750.387(9)
750.387(6)	Malicious destruction of tomb or memorial—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	
750.395(2)(c)	Damaging/destroying research property—\$1,000 to \$20,000 or with 1 or more priors	Property	MCL 750.395(6)
750.395(2)(d)	Damaging/destroying research property—\$20,000+ or with 2 or more priors	Property	
750.395(2)(e)	Damaging/destroying research property—resulting in physical injury	Person	
750.395(2)(f)	Damaging/destroying research property—resulting in serious impairment of body function	Person	
750.395(2)(g)	Damaging/destroying research property—resulting in death	Person	
750.535(2)	Receiving or concealing stolen property—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	MCL 750.535(10)
750.535(3)	Receiving or concealing stolen property—\$1,000 to \$20,000 or \$200 to \$1,000 with priors	Property	
750.535(7)	Receiving or concealing stolen motor vehicle	Property	
750.540g(1)(c)	Diverting telecommunications services—\$1,000 to \$20,000 or \$200 to \$1,000 with priors	Property	MCL 750.540g(4)
750.540g(1)(d)	Diverting telecommunications services—\$20,000+ or \$1,000 to \$20,000 with 2 priors	Property	

Felony offenses for which dual enhancement is expressly prohibited by reference to the general larceny statute, MCL 750.356.

Felonies by MCL #	Description	Crime Group	Dual enhancement prohibited by:
750.362	Larceny by conversion—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 750.356
750.362	Larceny by conversion—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	
750.363	Larceny by false personation—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 125.1447(4)
750.363	Larceny by false personation—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	
750.367	Larceny of trees or shrubs—\$1,000 to \$20,000 or \$200 to \$1,000 w/ priors	Property	MCL 285.279(6)
750.367	Larceny of trees or shrubs—\$20,000+ or \$1,000 to \$20,000 w/ 2 priors	Property	